



**U.S. Customs and  
Border Protection**

June 29, 2018

MEMORANDUM FOR: Directors, Field Operations  
Office of Field Operations

Director, Field Operations Academy  
Office of Training and Development

FROM:

Todd A. Hoffman  
Executive Director

(b) (6), (b) (7)(C)

Admissibility and Passenger Programs  
Office of Field Operations

SUBJECT:

Inspecting Inadmissible Family Units and Updates to (b) (7)(E)  
(b) (7)(E)

A recent audit of the inspection of Alien Family Units (FAMU), Unaccompanied Alien Children (UAC), and juvenile separation identified inconsistent application of policy for recording events generated in (b) (7)(E). Effective immediately, (b) (7)(E) has been updated to reflect additional options for processing alien family units to increase uniformity when processing adverse actions in CBP secondary.

Consistent with the Executive Order (EO) "Affording Congress An Opportunity to Address Family Separation" issued June 20, 2018, the preliminary injunction in *Ms. L v. ICE*, No. 18-848 (S.D. Cal.), and CBP National Standards on Transport, Escort, Detention, and Search (TEDS), U.S. Customs and Border Protection (CBP) Office of Field Operations (OFO) will maintain family unity and custody together to the greatest extent permitted by law and operational feasibility pending any criminal prosecution or immigration proceedings involving their members.

Alien Family Units (FAMU)

An Alien Family Unit is at least one alien child under the age of 18; at least one alien parent or at least one legal guardian; who are inadmissible and/or subject to removal from the United States. All individuals within an FAMU must be processed in a single (b) (7)(E) event. U.S. Citizens are not considered part of an FAMU for recordkeeping but may be entered into the (b) (7)(E) event for tracking custodial time and services provided while in CBP processing, but will have a class of admission and disposition code of "USC" at the conclusion of the case.

Unaccompanied Alien Child (UAC)

An Unaccompanied Alien Child (UAC), as defined by 6 U.S.C. 279(g)(2), is a child who has no lawful immigration status in the United States; has not attained 18 years of age; and with respect to whom, in the United States, there is no parent or legal guardian or no parent or legal guardian is available to provide care and physical custody. At Ports of Entry, UACs either arrive unaccompanied or become unaccompanied as a result of CBP processing for criminal prosecution, a parent with a communicable disease, or when the parent has been determined to be unfit or a danger to the child. All UACs must be handled within the existing policies for the Trafficking Victims Protection Reauthorization Act (TVPRA) and *Flores v. Reno* Settlement Agreement.

For CBP secondary purposes and (b) (7)(E) record keeping, a child becomes unaccompanied (UAC) in CBP secondary when:

1. Adult member is not the parent or legal guardian of the child or the relationship cannot be established;
2. Parent/legal guardian has been accepted for felony criminal prosecution and will be separated from the child;
3. Prior criminal history of the parent/legal guardian for felonies or violent misdemeanors will result in the child being separated from parent/guardian;
4. Parent/legal guardian has a communicable disease; or
5. There is an immediate child safety concern and separation is warranted for welfare of the child.

In instances where a separation is warranted due to the numerated reasons above a CBP OFO senior manager (GS-14 or above) must be notified, approve the separation, and contact the Immigration and Customs Enforcement/Enforcement Removal Operations (ICE/ERO) local juvenile coordinator. Approval and notification cannot be delegated below an OFO senior manager (GS-14).

If at any point during CBP secondary processing a child becomes a UAC, CBP officers are responsible for making the appropriate updates in (b) (7)(E) regarding the status of the alien and documenting the I-213.

Minor/Juvenile "Held Separately" due to *Flores* or TVPRA reporting in (b) (7)(E)

Statute and court orders impose enhanced reporting requirements for all minors/juveniles that are held separately in CBP secondary regardless if the family member is a parent or guardian. The (b) (7)(E) in any instance where the juvenile is separated from a claimed family member during CBP secondary processing.

Processing Inadmissible Aliens for (b) (7)(E)

If the alien was processed for Expedited Removal/Credible Fear (ER/CF) in CBP secondary and (b) (7)(E) with management concurrence, CBP officers will change the adverse action to an (b) (7)(E) in these cases, CBP officers must select in (b) (7)(E) the disposition of (b) (7)(E) (b) (7)(E) Additionally, the I-213 must be updated to reflect the change of

disposition and indicate in a statement that the change of disposition was made at the request of ICE/ERO based on the specific factors precluding processing as an ER/CF.

Please ensure that these materials are disseminated to all ports of entry within your jurisdiction. Should you have any questions or require additional information, please contact (b) (6), (b) (7)(C) Director, Enforcement Programs Division (EPD) at (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C) Director, Traveler Entry Programs at (b) (6), (b) (7)(C)

Attachments

## Muster

**Week of Muster:** Immediate  
**Topic:** Inspecting Inadmissible Family Units and Updates to (b) (7)(E)  
(b) (7)(E)  
**HQ POC/Office:** Enforcement Program Division, (b) (7)(E) or  
(b) (7)(E)

- This provides guidance on documenting compliance with the Court's injunction in *Ms. L. v. ICE*.
- FAMU (b) (7)(E) processing steps:
  - The proper recording of a FAMU in (b) (7)(E) is mandatory; all individuals within the FAMU must be processed in a single (b) (7)(E) event. Each family member will be added to the event as a separate subject.
  - CBP officers will select the (b) (7)(E)
  - U.S. Citizen children may be added to any event, however, the (b) (7)(E) will not be selected for any U.S. citizen child.
  - In the event that all children in a single event are U.S. citizens, the (b) (7)(E) will not be used.
  - CBPO will select (b) (7)(E) in the (b) (7)(E)  
(b) (7)(E)
  - CBPO will select (b) (7)(E) CBP officers will not select (b) (7)(E) as this does not qualify as a FAMU.
  - Juvenile indicator will reflect (b) (7)(E)
  - CBPO will select (b) (7)(E) in the (b) (7)(E) If conditions warrant the juvenile to be held separately from accompanying family members during CBP processing, see Minor/Juvenile "Held Separately" due to *Flores* or TVPRA reporting in (b) (7)(E) below
  - CBPO will complete the biographical information of each parent in the FAMU.
  - CBPO will complete the (b) (7)(E) ensuring that at least one parent's biographical information is associated with each accompanied juvenile.
  - CBPO will make a selection from the available (b) (7)(E) to appropriately identify the reason for the separation.
  - The first paragraph of the I-213 narrative of every individual must annotate the biographical information and A-file number of all FAMU members present.
- UAC (b) (7)(E) steps:
  - If the UAC is traveling alone, then CBPO will select in (b) (7)(E)  
(b) (7)(E)
  - If the UAC is traveling with a claimed family member who is not considered to be a part of the FAMU (family member is not a parent or legal guardian), CBPO will select in (b) (7)(E)  
(b) (7)(E)
  - CBPO will indicate in (b) (7)(E) the relationship to the claimed family member and fill out the biographical and relationship information.
  - (b) (7)(E) which should be appropriately marked.
  - CBPO must also document in the I-213 if a child becomes a UAC based on one of the following during CBP processing:

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Law Enforcement Sensitive



- Immediate Child Safety Concerns
  - Fraudulent Relationship
  - Prosecution of Parent/Legal Guardian
  - Criminality of Parent/Legal Guardian
- CBPO will annotate (b) (7)(E) to indicate the UAC is held separately if there is a FAMU separation because of one of the above reasons.
- Minor/Juvenile “Held Separately” due to *Flores* or TVPRA reporting in (b) (7)(E)
  - All minors/juveniles that are held separately from a family member or FAMU in CBP secondary due to *Flores* or TVPRA requirements, (e.g., minor held in separate hold room of claimed family member, minor held away from family due to (b) (7)(E) should be annotated in (b) (7)(E)
  - The (b) (7)(E) in any instance where the juvenile is held separately from a family member or FAMU during CBP processing.
  - (b) (7)(E) will permit CBPO to document for *Flores*/TVPRA separation circumstances where:
 

(b) (7)(E)
  - The minor will be processed as a UAC in (b) (7)(E) (see UAC (b) (7)(E) steps in this muster), if a minor/juvenile is subsequently separated from FAMU based on:
    - Immediate Child Safety Concerns
    - Fraudulent Relationship
    - Prosecution of Parent/Legal Guardian
    - Criminality of Parent/Legal Guardian
- Processing Inadmissible Aliens for (b) (7)(E)
  - If upon completion of an Expedited Removal/Credible Fear (ER/CF), (b) (7)(E)
 

(b) (7)(E)
  - Form I-213 should be updated to reflect the change of disposition.
  - When annotating a case as an (b) (7)(E) in lieu of an ER/CF:
    - CBPO will select the appropriate disposition of (b) (7)(E)
    - (b) (7)(E)
  - (b) (7)(E)



**U.S. Customs and  
Border Protection**

**FEB 25 2016**

MEMORANDUM FOR: Directors, Office of Field Operations  
Director, Field Operations Academy

FROM: Todd A. Hoffman  
Executive Director  
Admissibility and Passenger Programs  
Office of Field Operations

**(b) (6), (b) (7)(C)**

SUBJECT: Admissibility Processing and Family Units

Office of Field Operations personnel generally encounter aliens through inbound or outbound inspections at our ports of entry. Enforcement Actions are determined on individual aliens, based upon the totality of circumstances. In some instances these aliens are encountered as a unit, and while this does not necessarily effect OFO's enforcement action, the designation must be noted for the purposes of statistics and Immigration and Customs Enforcement detention actions. In addition, the recordation of family units is critical given recent litigation of the *Flores* Agreement.

A Family Unit (FAMU) is:

1. At least one alien child under the age of 18;
2. Accompanied by at least one alien parent(s) or legal guardian(s); and,
3. All are inadmissible and/or subject to removal.

The **(b) (7)(E)** is the only OFO authorized system for processing of aliens. It is mandatory for these FAMU to be properly catalogued and is accomplished through the use of a single **(b) (7)(E)** event for processing of the individuals within the FAMU. This requirement does not preclude multiple CBP Officers from processing individuals in a single event simultaneously. The attached muster further describes how multiple CBP Officers can simultaneously process different individuals within a FAMU in a single **(b) (7)(E)** event within the same area of responsibility (AOR). CBP Officers and Supervisors are reminded that data integrity and attention to detail are shared responsibilities.

Please ensure that this memorandum and attached muster are disseminated to all ports of entry within your jurisdiction. If you have any questions or require additional information, please contact **(b) (6), (b) (7)(C)** (A) Director, Enforcement Programs Division at **(b) (6), (b) (7)(C)** or **(b) (6), (b) (7)(C)** Program Manager, at **(b) (6), (b) (7)(C)**

## Weekly Muster

**Week of Muster:** Immediate

**Topic:** Admissibility Processing and Family Units

**HQ POC/Office:** (b) (6), (b) (7)(C) Enforcement Programs Division

- A Family Unit (FAMU) is:
  1. At least one alien child under the age of 18;
  2. Accompanied by at least one alien parent(s) or legal guardian(s); and,
  3. All are inadmissible and/or subject to removal.
- While not indicative of appropriate action, inclusion in a FAMU must be annotated.
- It is a shared management and officer responsibility to ensure data integrity.
- It is mandatory to properly record a FAMU; all individuals within the FAMU must be processed in a single (b) (7)(E) event.
- (b) (7)(E) has the capability for multiple CBP Officers to process different individuals within a single (b) (7)(E) event.
- To accomplish -
  - The basic biographic data of an alien can be utilized to start an event. Additional aliens associated can then be added to the event. The individuals that constitute a FAMU within the event would need to be (b) (7)(E) CBP Officers must then (b) (7)(E) the individual alien they want to process from the (b) (7)(E) or;
  - Alternatively, A CBP Officer can start an event and begin processing one individual. Another CBP Officer can then (b) (7)(E) the event, add another alien, and begin processing. Please see attached PowerPoint for visual example
- U.S. Citizens are never part of a FAMU.



U.S. Customs and  
Border Protection

MEMORANDUM FOR: Directors, Field Operations (b) (6), (b) (7)(C)  
Office of Field Operations

FROM: Acting Executive Director  
Admissibility and Passenger Programs

SUBJECT: Inadmissible Aliens with Medical Conditions and Family Units

The Secretary's memo: *Policies for the Apprehension, Detention and Removal of Undocumented Immigrants* issued on November 20, 2014 clearly delineate priorities each DHS component must consider when enforcing existing laws. Arriving aliens at ports of entry are considered "Priority 1" under the Secretary's memo and custody for those aliens requiring detention fall within the purview of Immigration and Customs Enforcement (ICE). Each Field Office should work with their local ICE office to ensure compliance with the Secretary's memo.

To ensure the most effective use of resources, in the event that an inadmissible alien who would:

1. Otherwise be removed per the expedited removal provisions of §235(b) of the Immigration and Nationality Act (INA); and is
2. Subject to further detention, e.g. claim of credible fear; and is
3. Exhibiting a medical condition that could affect the ability to detain, i.e.: (b) (7)(E)

- (b) (7)(E)
4. (b) (7)(E)

Then ICE/ERO should be contacted as soon as practical to determine whether detention space will be available for an alien with a medical condition or a family unit. If ICE/ERO advises that

(b) (7)(E)  
then with supervisory approval, the port should consider placing the alien in §240 removal proceedings

(b) (7)(E)  
(b) (7)(E)  
(b) (7)(E)

(b) (7)(E) All other adverse action cases, not involving medical conditions or family units will be processed according to standard operating procedures.

<sup>1</sup> CBP has the discretion to place an alien subject to expedited removal in §240 proceedings per *Matter of E-R-M- & L-R-M-*, 25 I&N Dec. 520 (BIA 2011).



## Inadmissible Aliens with Medical Conditions and Family Units

Page 2

CBP officers are reminded to treat aliens experiencing health conditions with dignity, respect, and a special concern for their particular needs.

Please ensure that is memorandum is disseminated to all ports of entry within your jurisdiction.

Any questions or require additional information, please contact (b) (6), (b) (7)(C) Branch Chief at (b) (6), (b) (7)(C) or J. Ryan Hutton, Director, Enforcement Programs Division (EPD) at (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

Attachments

## Muster

**Week of:** Immediate  
**Topic:** Inadmissible Aliens with Medical Conditions and Family Units  
**References:** Section 235(b)(1)(A)(i) of the Immigration and Nationality Act (INA), 8 C.F.R. 235.3(b)(2)(iii), and 25 I&N Dec. 520 (BIA 2011)  
*Matter of E-R-M- & L-R-M-*  
**Headquarters POC:** (b) (6), (b) (7)(C)  
**Office:** Enforcement Programs Division  
Admissibility and Passenger Programs

- In the event that an inadmissible alien is exhibiting a medical condition that could affect the ability to detain, i.e.; (b) (7)(E)  
(b) (7)(E)  
the examining CBP officer is instructed to:
  1. Notify their supervisor of their findings and the inadmissible alien's medical condition;
  2. ICE ERO should be contacted as soon as practical regarding an alien with a medical condition or a family unit;
  3. Determine what ground(s) of inadmissibility apply and what adverse action would be appropriate;
  4. Determine whether discretion can be applied under § 235(a)(4)/(I-275) or § 212(d)(5)/(Parole) of the INA;
  5. If the alien who is determined to be inadmissible has a medical condition (b) (7)(E)  
(b) (7)(E)
  6. (b) (7)(E)
  7. (b) (7)(E)
  8. All other considerations for parole should be completed in accordance with the May 12, 2015 Memo: Parole of Inadmissible Nonimmigrant Aliens.
- All other adverse action cases, not involving medical conditions or family units will be processed according to standard operating procedures.
- CBP officers are reminded to treat aliens experiencing medical conditions and family units with dignity, respect, and special concern for their particular needs.

## Muster

**Week of Muster:** Immediate  
**Topic:** Documenting Family Units and Properly Recording Separations  
**HQ POC/Office:** (b) (7)(E) or  
(b) (7)(E)

- One of the many critical tasks performed every day by CBP officers is processing family units that arrive at our Ports of Entry.
- An Alien Family Unit is:
  - At least one alien child under the age of 18; and
  - At least one alien parent(s) or legal guardian(s);
  - Who all are inadmissible and/or subject to removal.
- All individuals within the Alien Family Unit will be processed in a single (b) (7)(E) event. All Family Unit Aliens (FMUAs) will be added separately to the event and CBP officers will select the (b) (7)(E) (b) (7)(E) designation box in (b) (7)(E)
- Consistent with the EO and CBP National Standards on Transport, Escort, Detention, and Search (TEDS), CBP OFO will maintain family unity and custody together to the greatest extent permitted by law and operational feasibility.
  - The June 27, 2018 “Interim Guidance on Preliminary Injunction in *Ms. L v. ICE*, No. 18-428 (C.D. Cal. June 26, 2018)” memorandum provides specific guidance on the conditions under which CBP can perform a family unit separation.
- (b) (7)(E) in any instance where the juvenile is separated from a family member or FAMU during CBP processing.
- Currently, the following separation reasons exist in (b) (7)(E):

(b) (7)(E)

(b) (7)(E)

- (b) (7)(E)

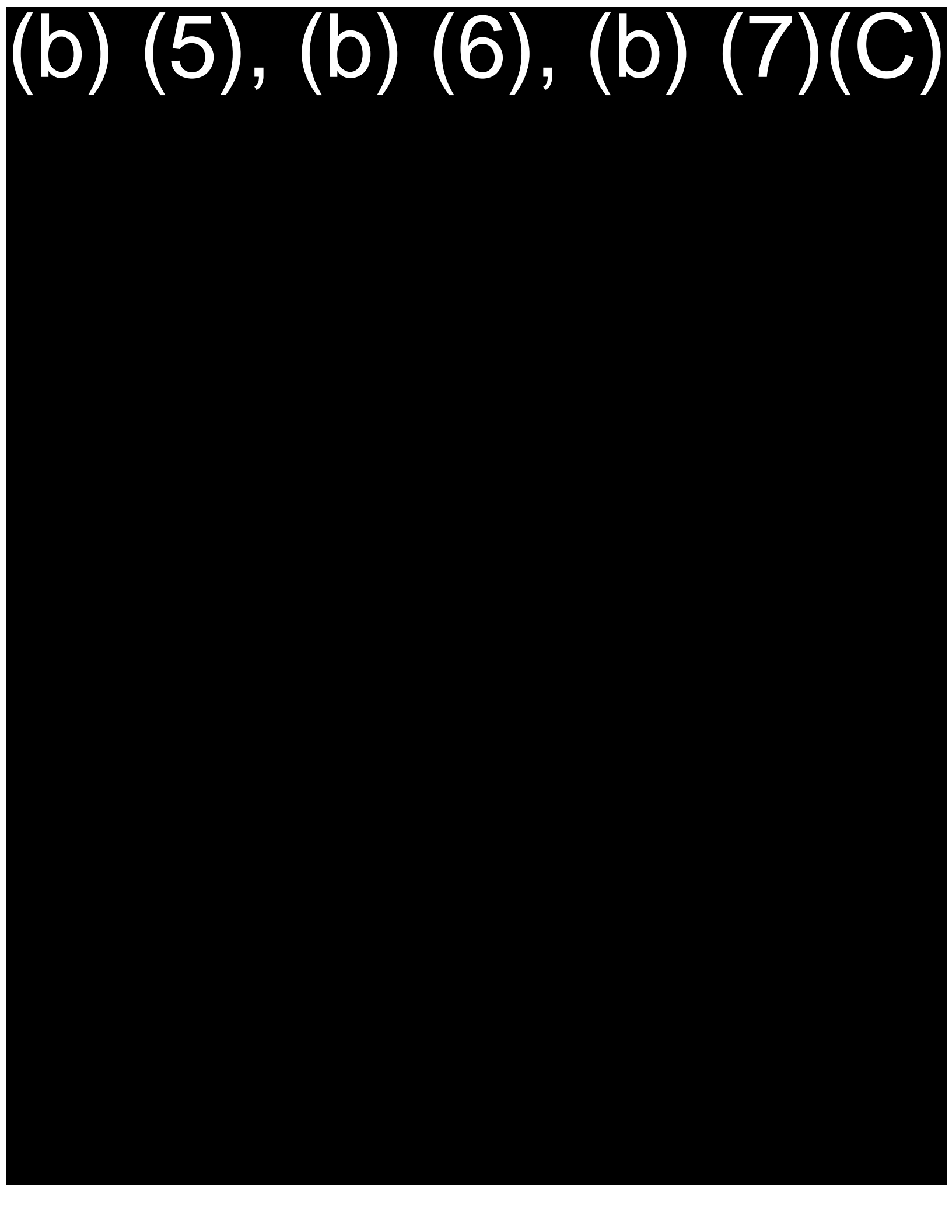
Separation reasons for other than Family Units:

- (b) (7)(E)

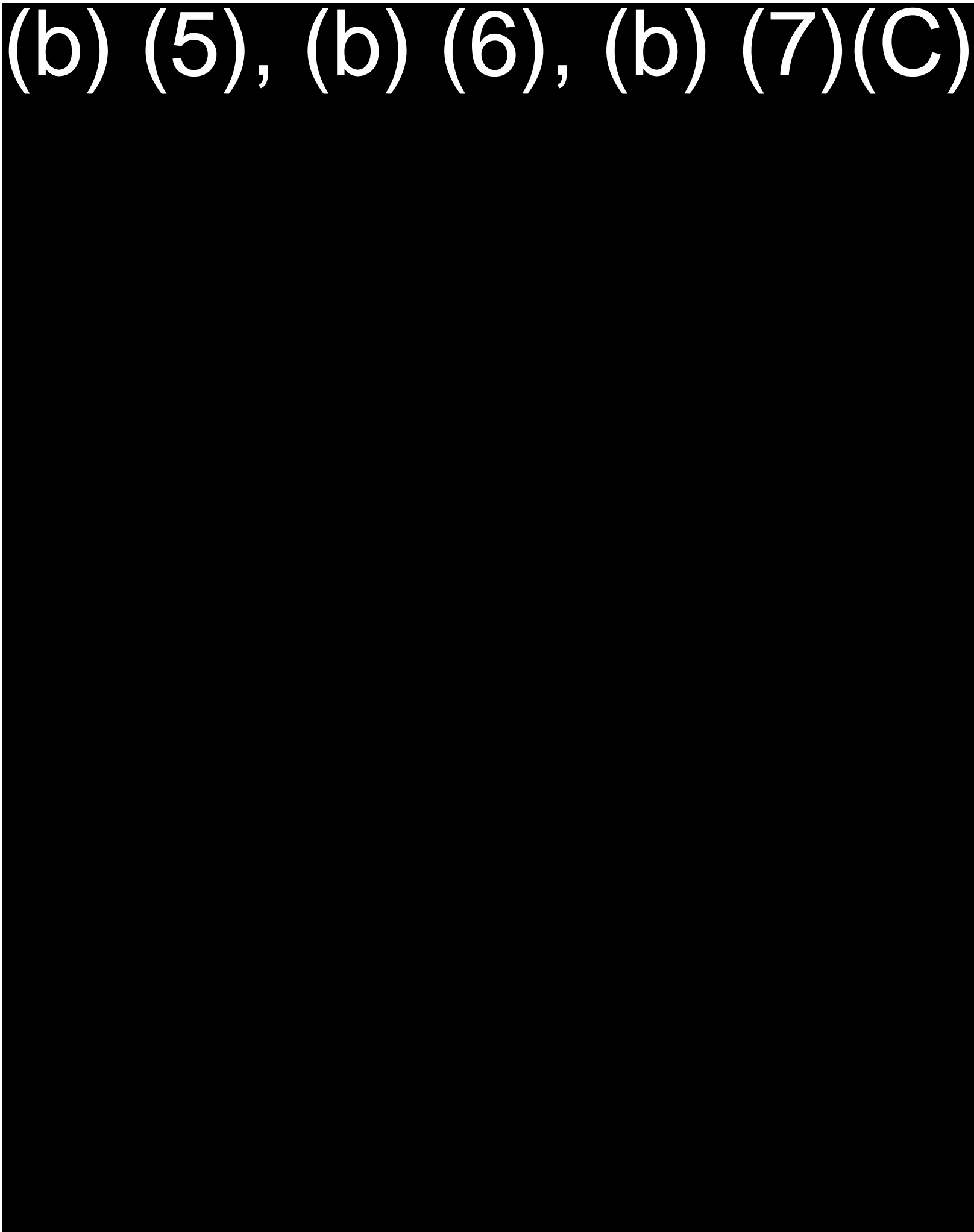
- (b) (7)(E)



(b) (5), (b) (6), (b) (7)(C)



(b) (5), (b) (6), (b) (7)(C)





U.S. Customs and  
Border Protection

Commissioner

June 27, 2018

MEMORANDUM FOR: Carla L. Provost  
Chief  
U.S. Border Patrol

Todd C. Owen  
Executive Assistant Commissioner  
Office of Field Operations (b) (6), (b) (7)(C)

FROM: Kevin K. McAleenan (b) (6), (b) (7)(C)  
Commissioner

SUBJECT: Interim Guidance on Preliminary Injunction in  
*Ms. L. v. ICE*, No. 18-428 (C.D. Cal. June 26, 2018)

On June 26, 2018, the court granted plaintiffs' request for a nationwide preliminary injunction, enjoining the government from separating parents and legal guardians, who are detained in Department of Homeland Security (DHS) custody, from their children in certain circumstances. This interim guidance provides initial direction on compliance with that court order.

- Both at and between the ports of entry, adults who enter the United States illegally as part of a family unit (including adults who are members of two parent families) should not be referred for prosecution for 8 U.S.C. § 1325. However, ports of entry and stations may refer parents/legal guardians for prosecution for felonies.
- Parents/legal guardians may be separated from their child only for the following reasons:
  1. Referral of a parent/legal guardian for prosecution for a felony, as stated above.
  2. Parent/legal guardian presents a danger to the child.
  3. The parent/legal guardian has a criminal conviction(s) for violent misdemeanors or felonies.
    - Any questions about what constitutes a violent misdemeanor or felony should be referred to the local Office of Chief Counsel.
  4. The parent/legal guardian has a communicable disease.
    - Prior to separation, local Office of Chief Counsel should be contacted, and the communicable disease should be clearly documented in all appropriate systems of record.

- In cases in which the parent/legal guardian has an urgent medical need that is not a communicable disease, officers and agents should attempt to keep the family together in CBP custody, or parole both for medical care or contact the local Office of Chief Counsel.
- Fraudulent claims of parental or legal guardianship relationship should be processed under current policies and procedures, consistent with the Trafficking Victims Protection Reauthorization Act (TVPRA), and should be well-documented to support such claims.
- In any instance where individuals are or claim to be a parent/legal guardian and child, any separation must be approved by a GS-14 Watch Commander/Port Director or equivalent (OFO), or a Watch Commander (USBP).
- All other claims of familial relationships (*i.e.*, not parent/legal guardian) should be processed under current policies and procedures, consistent with the TVPRA.
- Nothing in this guidance changes existing policies and procedures related to processing and holding at the ports of entry and stations, including where individuals may be held in these facilities.

Any questions about how to comply with the court order should be raised through the appropriate chain of command for contact with local Office of Chief Counsel. This guidance will be updated as needed and appropriate.

cc: All Executive Assistant Commissioners and Assistant Commissioners



(b) (6), (b) (7)(C)

From:

Sent:

To:

Cc:

Subject:

(b) (6), (b) (7)(C), (b) (7)(E)

Tuesday, September 17, 2019 5:31 PM

(b) (6), (b) (7)(C), (b) (7)(E)

RE: FOIA: CBP-2018-011183

(b) (6), (b) (7)(C)

Please see below:

- OFO cannot provide data from January 2017 through April 18, 2018. OFO systems did not capture specific information on the reason and nature of family separations prior to June 29, 2018. OFO is able to provide separation data from April 19, 2018 through June 28, 2018 based on data provided by (b) (7)(E) this release has been coordinated with (b) (7)(E) The following data covers the period from April 19, 2018 to April 30, 2019:

Fiscal Month (FY yy-mm (mon))	Field Office Name	Juvenile Held Separately Reason	Total Juveniles Separated
FY 18-07 (APR)	EL PASO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	2
FY 18-07 (APR)	LAREDO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	1
FY 18-07 (APR)	LAREDO	IMMIGRATION HISTORY OF PARENT	3
FY 18-07 (APR)	LAREDO	PROSECUTION OF PARENT/LEGAL GUARDIAN	2
FY 18-07 (APR)	SAN DIEGO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	1
FY 18-08 (MAY)	EL PASO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	1
FY 18-08 (MAY)	EL PASO	PROSECUTION OF PARENT/LEGAL GUARDIAN	2
FY 18-08 (MAY)	LAREDO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	8
FY 18-08 (MAY)	LAREDO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	1
FY 18-08 (MAY)	LAREDO	IMMIGRATION HISTORY OF PARENT	21
FY 18-08 (MAY)	SAN DIEGO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	3
FY 18-08 (MAY)	SAN DIEGO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	1
FY 18-08 (MAY)	TUCSON	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	1
FY 18-08 (MAY)	TUCSON	IMMIGRATION HISTORY OF PARENT	1
FY 18-09 (JUN)	EL PASO	PROSECUTION OF PARENT/LEGAL GUARDIAN	4
FY 18-09 (JUN)	LAREDO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	3
FY 18-09 (JUN)	LAREDO	IMMIGRATION HISTORY OF PARENT	14
FY 18-09 (JUN)	LAREDO	PROSECUTION OF PARENT/LEGAL GUARDIAN	5
FY 18-09 (JUN)	SAN DIEGO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	2

FY 18-09 (JUN)	TUCSON	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	1
FY 18-10 (JUL)	SAN DIEGO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	1
FY 18-11 (AUG)	LAREDO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	1
FY 18-12 (SEP)	LAREDO	LONG TERM MEDICAL EMERGENCY - FAMILY SEPARATED	1
FY 18-12 (SEP)	TUCSON	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	1
FY 19-01 (OCT)	LAREDO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	1
FY 19-01 (OCT)	SAN DIEGO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	1
FY 19-02 (NOV)	LAREDO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	2
FY 19-02 (NOV)	SAN DIEGO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	1
FY 19-02 (NOV)	TUCSON	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	1
FY 19-03 (DEC)	EL PASO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	1
FY 19-03 (DEC)	LAREDO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	1
FY 19-04 (JAN)	EL PASO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	1
FY 19-04 (JAN)	SAN DIEGO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	3
FY 19-05 (FEB)	LAREDO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	2
FY 19-06 (MAR)	LAREDO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	1
FY 19-06 (MAR)	LAREDO	PROSECUTION OF PARENT/LEGAL GUARDIAN	2
FY 19-06 (MAR)	SAN DIEGO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	2
FY 19-07 (APR)	LAREDO	CRIMINALITY OF PARENT/LEGAL GUARDIAN - CHILD SAFETY CONCERN	2
FY 19-07 (APR)	LAREDO	PROSECUTION OF PARENT/LEGAL GUARDIAN	3
Total			105

Thanks

Regards,

(b) (6), (b) (7)(C), (b) (7)(E)

From: (b) (6), (b) (7)(C)

Sent: Tuesday, September 17, 2019 5:35 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C), (b) (7)(E)

Subject: RE: FOIA: CBP-2018-011183

We were provided the policy documents and those have been redacted, reviewed and prepared for release. We are still pending the statistics. There were several email messages where different people were tasked with obtaining the record, but as of today I don't have an email referencing CBP-2018-011183 that contains statistics. Can someone assist? I really need to get this case close this week. The requester has already filed an appeal. Once the statistics have been processed we can close this case.

Thank you,

(b) (6), (b) (7)(C)

CBP FOIA Division

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From (b) (6), (b) (7)(C)

Sent: Tuesday, July 9, 2019 9:46 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C), (b) (7)(E)

Subject: RE: FOIA: CBP-2018-011183

Super! Thank, you (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) please contact (b) (6), (b) (7)(C) for the final response.

Thank you,

(b) (6), (b) (7)(C), (b) (7)(E)

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From: (b) (6), (b) (7)(C)

Sent: Tuesday, July 9, 2019 10:35 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C), (b) (7)(E)

Subject: RE: FOIA: CBP-2018-011183

(b) (6), (b) (7)(C)

(b) (7)(E) has responded to this request through (b) (5), (b) (7)(E) has reviewed it and (b) (6), (b) (7)(C), (b) (7)(E) can provide the final response. He is CCed in this email.

Thank you.

Regards,

(b) (6), (b) (7)(C), (b) (7)(E)

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, July 9, 2019 9:54 AM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** FW: FOIA: CBP-2018-011183

(b) (6), (b) (7)(C)

Would you be able to respond to this request for data concerning OFO (highlighted in yellow below)?

Note: (b) (6), (b) (7)(C) tried to get this information from OFO/ (b) (7)(E) in May (see original email at the bottom), but there may have been confusion as to whether OFO needed to respond. (b) (6), (b) (7)(C) has confirmed that she would like OFO to provide data if it has the data.

Please let me know, and thank you,

(b) (6), (b) (7)(C), (b) (7)(E)



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**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, July 9, 2019 9:34 AM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** FW: FOIA: CBP-2018-011183

(b) (6), (b) (7)(C) I hope you can assist. I have a request that included several different types of records. I have all of the records for the request except OFO statistics. Can you help me obtain:

The number of children who entered the country with parents and/or legal guardians but were sent to ORR as unaccompanied per month since January 2017. I need year to date number of family separations (parent/guardian, minor child) between January 2017 and YTD, the referral office and the reason for separation if given.

Thank you,

(b) (6), (b) (7)(C)

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, July 8, 2019 9:50 AM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** RE: FOIA: CBP-2018-011183

Hi-

Send the statistics to (b) (6), (b) (7)(C), (b) (7)(E) is the contact if you want to email him. He will forward it as appropriate...Let me know if you have any difficulties...

(b) (6), (b) (7)(C), (b) (7)(E)

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, July 8, 2019 10:43 AM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** RE: FOIA: CBP-2018-011183

Sorry, forgot to mention that there were two parts to this request and OFO already provided the policy part, just not the statistics.

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, July 8, 2019 9:42 AM

To: (b) (6), (b) (7)(C)

Subject: FW: FOIA: CBP-2018-011183

I need to get stats from OFO on the number of children who entered the country with parents and/or legal guardians but were sent to ORR as unaccompanied per month since January 2017. I need year to date number of family separations (parent/guardian, minor child) between January 2017 and YTD, the referral office and the reason for separation if given.

I already have info from BP, just need stats from OFO. Do you happen to know who is the POC for that so I can send it to them? I can't open the shared drive right now to pull it up....

(b) (6), (b) (7)(C)

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From: (b) (6), (b) (7)(C)

Sent: Monday, July 8, 2019 9:32 AM

To: (b) (6), (b) (7)(C), (b) (7)(E)

Cc:

Subject: FW: FOIA: CBP-2018-011183

Good Morning (b) (6), (b) (7)(C)

Did you hear back from (b) (7)(E) on this?

Thank you,

(b) (6), (b) (7)(C)

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From (b) (6), (b) (7)(C), (b) (7)(E)

Sent: Wednesday, June 19, 2019 11:04 AM

To: (b) (6), (b) (7)(C)

Subject: RE: FOIA: CBP-2018-011183

(b) (6), (b) (7)(C)

The material was sent to (b) (7)(E) for review/release but I have not heard anything back. I will forward again and see attached.

Thank you,

(b) (6), (b) (7)(C), (b) (7)(E)

(b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C)  
**Sent:** Sunday, June 16, 2019 5:49 PM  
**To:** (b) (7)(E)  
**Subject:** RE: FOIA: CBP-2018-011183

Were any OFO records found?

**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, May 20, 2019 8:14 AM  
**To:** (b) (7)(E)  
**Subject:** RE: FOIA: CBP-2018-011183

Most citizens do not understand that OFO has officers and BP has agents. Even the news media gets it wrong the majority of the time.

We have already received records from BP. Since they don't state they are looking for illegal entries and they use "CBP" in the request, we reached out to both OFO and BP.

**From:** (b) (6), (b) (7)(C), (b) (7)(E)  
**Sent:** Friday, May 17, 2019 4:38 PM  
**To:** (b) (6), (b) (7)(C), (b) (7)(E)  
**Cc:** (b) (6), (b) (7)(C), (b) (7)(E)  
**Subject:** FW: FOIA: CBP-2018-011183

Please see below; is this for BP?

(b) (6), (b) (7)(C), (b) (7)(E)

**From:** (b) (6), (b) (7)(C), (b) (7)(E)  
**Sent:** Friday, May 17, 2019 2:19 PM

To: (b) (7)(E)  
Subject: RE: FOIA: CBP-2018-011183

Good afternoon (b) (6), (b) (7)(C)

We wanted to confirm a couple things about the request below.

“The number of children who entered the country with parents and/or legal guardians but are sent to ORR as unaccompanied per month per sector since Jan. 2017 and YTD The number of family separations (parent/guardian and minor child) per month between January 2017 and YTD, the referral office, and the reason for the separation, if given. Any and all guidance CBP offers agents in deciding when to separate parents and children.”

The highlighted in yellow makes it seem like this is a USBP request. Can you please confirm that?

Regards,

(b) (6), (b) (7)(C), (b) (7)(E)

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From: (b) (6), (b) (7)(C)  
Sent: Friday, May 10, 2019 3:31 PM  
To: (b) (7)(E)  
Subject: FOIA: CBP-2018-011183


Do you have any stats that would be responsive for the following:

“The number of children who entered the country with parents and/or legal guardians but are sent to ORR as unaccompanied per month per sector since Jan. 2017 and YTD The number of family separations (parent/guardian and minor child) per month between January 2017 and YTD, the referral office, and the reason for the separation, if given. Any and all guidance CBP offers agents in deciding when to separate parents and children.”

**USBP Southwest Border Apprehensions Separated from a Family by Separation Reasons, Sector and Month**

**April 19, 2018 - April 30, 2019**

*Data includes Deportable Aliens Only*

Data Source:  Unofficial) FY18 as of End of Year Date; FY19TD as of 5/9/19

				Adult							Adult	Juvenile							Juvenile	Total	
FY	Month	Border	Sector	FMEW	FMGA	FMH	FMJLS	FMPC	FMPIV	FMPO	Total	FMEW	FMGA	FMH	FMJLS	FMPC	FMPIV	FMPO	Total	Total	
FY2018	Apr	SBO	DRT					1		1	2					1		2	3	5	
			ELC						1		1						1		1	2	
			EPT	1						2	3	1						2	3	6	
			RGV					18	3	2	23					17	4	2	23	46	
			SDC							3	3							6	6	9	
			TCA					1			1						1			1	2
			YUM			1			25	1	27				1		26	1	28	55	
	Apr Total			1	0	1	0	20	29	9	60	1	0	1	0	19	31	13	65	125	
	May	SBO	BBT					1	1	62	64						1	1	60	62	126
			DRT					13		53	66					17		61	78	144	
			ELC					1			1					1			1	2	
			EPT					34	4	441	477					43	4	476	521	998	
			LRT							2	2							2	2	4	
			RGV		2	1		40	8	510	558		2	1		41	8	517	566	1,124	
			SDC					2		3	5					2		3	5	10	
			TCA					7		67	74					7		71	78	152	
			YUM					4	30	508	540					4	31	536	569	1,109	
		NBO	SWB							2	2							1	1	3	
	May Total			0	2	1	0	102	43	1,648	1,789	0	2	1	0	116	44	1,727	1,883	3,672	
	Jun	SBO	BBT								2	2							3	3	5
			DRT					6	2	21	29						4	4	23	31	60
			ELC					1	2	3	6						1	2	3	6	12
			EPT					12	5	192	208						13	5	208	225	433
			LRT						2	4	6								4	4	10
			RGV	1	2	1		24	3	644	673	1	2	1		29	4	676	711	1,384	
			SDC							5	5							4	4	9	
			TCA					1	5	25	31					1	3	26	30	61	
			YUM			1		4	9	86	100			1		4	10	94	109	209	
	Jun Total			1	2	2	0	48	28	982	1,060	1	2	2	0	52	28	1,041	1,123	2,183	
	Jul	SBO	DRT			1						1			1					1	2
			ELC				1		1			2					1			2	4
			EPT								3	3							2	2	5
			RGV	2	2	1		1		1	7	2	2	1		2		1	8	15	
			SDC			1					1			1					1	1	2
			TCA							1	1							1	1	2	
			YUM			1		1		5	7			1		1		3	5	12	
	Jul Total			2	2	5	0	3	0	10	22	2	2	5	0	4	0	7	20	42	
	Aug	SBO	EPT		1			1			2		1				1			2	4
			RGV		1			1			2		1		1	3			5	7	
			SDC								0			1					1	1	
			YUM			1					1				1				1	2	
	Aug Total			0	2	1	0	2	0	0	5	0	2	1	2	4	0	0	9	14	
	Sep	SBO	BBT					1				1								0	1
			EPT	1							1	2	1		1	1			3	5	
			RGV		1			3			4				3	1			4	8	
			YUM			1					1	2				1			2	4	
	Sep Total			1	1	1	0	4	0	2	9	1	0	1	5	1	0	1	9	18	
FY2018 Total			5	9	11	0	179	100	2,651	2,945	5	8	11	7	196	103	2,789	3,109	6,054		

FY	Month	Border	Sector	Adult							Adult	Juvenile							Juvenile	Total
				FMEW	FMGA	FMH	FMJLS	FMPC	FMPIV	FMPO	Total	FMEW	FMGA	FMH	FMJLS	FMPC	FMPIV	FMPO	Total	Total
FY2019TD	Oct	SBO	EPT					1			1				3			1	4	5
			RGV		2			8		1	11		3		4	4		1	12	23
	Oct Total			0	2	0	0	9	0	1	12	0	3	0	7	4	0	2	16	28
	Nov	SBO	EPT					1			1								0	1
			RGV		2	1		6		1	10				10				10	20
			SDC							1	1							1	1	2
			TCA	1				1			2	1			2			1	3	5
	Nov Total			1	2	1	0	8	0	2	14	1	0	0	12	0	0	2	14	28
	Dec	SBO	EPT					4			4				5	2			7	11
			RGV		2	1		12		1	16		2		14	2			18	34
			SDC			1					1			1	3				4	5
			TCA							1	1				1				1	2
			YUM					1		1	2					1			1	3
	Dec Total			0	2	2	0	17	0	3	24	0	2	1	23	5	0	0	31	55
	Jan	SBO	BBT					1			1				1				1	2
			DRT					1		1	2				2				2	4
			ELC							1	1							1	1	2
			RGV		3			14			17				15	2			17	34
			SDC	1						1	2	1						1	2	4
			TCA				1	1		1	3								0	3
	Jan Total			1	3	0	1	17	0	4	26	1	0	0	18	2	0	2	23	49
	Feb	SBO	DRT	1		1					2				1				1	3
			EPT					1		4	5				1	1		3	4	9
			RGV	1	4			23		4	32	2	1		24	2		2	31	63
			SDC		1						1				1				1	2
			YUM			1		1			2			1					1	3
		NBO	SWB							1	1								0	1
	Feb Total			2	5	2	0	25	0	9	43	2	1	1	27	3	0	5	38	81
	Mar	SBO	DRT					4		2	5				2	2		2	6	11
			EPT					6		3	9			2	5	5		1	13	22
			RGV		3	1		45			49				47	5			52	101
			SDC		1					1	2		1		1			1	2	4
			TCA					5		2	7				5	1		1	6	13
			YUM					4			4				1	3			4	8
	Mar Total			0	4	1	0	64	0	8	76	0	1	2	61	16	0	5	83	159
	Apr	SBO	DRT					1			1			2		1			3	4
			EPT		1			4		12	17				15	2		4	18	35
			RGV	3	6			66		2	77				66	12			78	155
			TCA					3			3				2	1			3	6
			YUM			2		3			5				6				6	11
		NBO	BLW							1	1								0	1
			SWB	1							1				1				1	2
	Apr Total			4	7	2	0	77	0	15	105	0	0	2	90	16	0	4	109	214
FY2019TD Total				8	25	8	1	217	0	42	300	4	7	6	238	46	0	20	314	614



<b>Family Separation Codes</b>	<b>Family Member Separation</b>
FMEW	Family Member - Extraditable Warrant
FMGA	Family Member - Gang Affiliation
FMH	Family Member Hospitalized
FMJLS	Family Member Juvenile with Lead Separated
FMPIV	Family Member - Prior Immigration violation(s) and order of removal
FMPC	Family Member Prosecuted - Criminal History
FMPO	Family Member Prosecuted - Other Reasons
FMT	Family Member - Terrorist